

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPIN MASTER LTD. and SPIN MASTER, INC.,

Plaintiffs

v.

ACIPER, ADA TOYZ, AHAHOO, AHIROT,
AILA STORE, COLORFULWORLD6,
CONTROL FUTURE DIRECT, DEWEER,
ELEMUSI, ETCBUYS, FINALBASEDIRECT,
FLYGLOBAL, FREE TO FLY, FUNDOM,
GOSEAR, GOTECHOD DIRECT, JEICY,
JINRONG HE, JJS TOYS, JOYFUN, JOYJAM,
JSCOUT, JZD-US, KINGBOT-US, LALAGO,
LANKEE, LIBERTY TRADING GB, LYNEE
TOYS, MAGNETICSPACE, MAYZO,
MI.MENG15, MXTRADE, NAMIGE, NEIL-US,
NEW-LOOK, REIMOTKON-US, ROOYA
BABY DIRECT, SIKAYE TECH INC,
SUUKAA, TABPOLE DIRECT,
TAIYUANSHIXINGHUALINGQUWANGYAN
JUNTIYUYONGPINGDIAN, TOCH DIRECT,
TOTOLA TRADING INC, TOY CHEF, TSWA,
TULAS, UM-S, UNIDARGON, V-BEST,
WALSONTOP, WO FEI, YEYOJOY, YAUDI
DIRECT and YUANBO,

Defendants

CIVIL ACTION No.

19-cv-6949 (VSB)

STIPULATED FINAL JUDGMENT UPON CONSENT BETWEEN PLAINTIFFS AND
DEFENDANT JSCOUT, formally known as SHENZHEN YONGLI HONGTAI
INVESTMENT DEVELOPMENT CO., LTD.

WHEREAS, on July 25, 2019 SPIN MASTER LTD. and SPIN MASTER, INC., (collectively “Spin Master” or “Plaintiff”) filed a lawsuit against Defendant JSCOUT formally known as (“f/k/a”) SHENZHEN YONGLI HONGTAI INVESTMENT DEVELOPMENT CO., LTD. (“Defendant”), among other defendants, in the United States District Court for the Southern District of New York, Civil Case No. 1:19-cv-6949 (VSB), *Spin Master Ltd. and Spin Master, Inc. v. ACIPER, et al.* (“Lawsuit”), alleging that, among other claims, Defendant has engaged in the importing, exporting, advertising, marketing, promoting, distributing, displaying, offering for sale and/or selling of products that are alleged to incorporate and infringe the Racer Products Patents (defined below), namely Amazon ASIN B07FKRY7CK as identified in attachments to the pleadings in the Lawsuit (“Infringing Products”).

WHEREAS, Defendant filed a motion to dismiss on December 4, 2019, which was granted as to the first five claims predicated on trademark infringement, and denied as to the five patent infringement claims; and

WHEREAS, Plaintiff and Defendant having entered into a Confidential Settlement Agreement and Release, desiring to fully settle all of the claims in this action, and Defendant having agreed to the below terms or such other terms as the Court may So Order:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

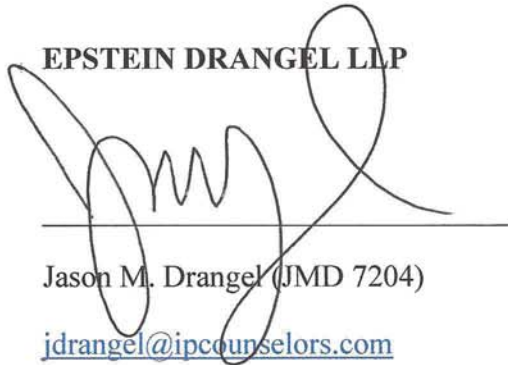
1. The above recitals are true and correct and are hereby incorporated into and made part of

this Stipulated Final Judgment Upon Consent (“Final Consent Judgment”).

2. The Court has jurisdiction over the parties to this Final Consent Judgment and has jurisdiction over the subject matter hereof.
3. Plaintiff alleged ownership of U.S. Pat. Nos. 7,980,916; 7,753,755; 8,979,609; 9,675,897; and 10,398,995 (“Racer Products Patents”).
4. Defendant, having hereby recognized the validity and enforceability of the Racer Products Patents, shall not challenge or contest, directly or indirectly, the validity, ownership or registration of the same.
5. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Defendant, and (where applicable), their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, shall be enjoined and restrained permanently from:
 - importing, distributing, advertising, promoting, selling, or offering for sale any products that infringe any claim of the Racer Products Patents, including, without limitation the Infringing Products (as defined in Plaintiff’s Complaint, ECF 8).
6. The parties agree to the dismissal of the instant lawsuit *with prejudice*, subject to the Court retaining jurisdiction over this matter and the parties in order to construe and enforce the injunction granted herein.
7. Each party shall bear its own costs and attorney’s fees.
8. The \$100,000 cash security ordered specifically related to claims filed against Defendant (ECF 44) is hereby released to Epstein Drangel, counsel for Plaintiff.

APPROVED AS TO FORM AND AGREED TO:

EPSTEIN DRANGEL LLP



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*f/k/a SHENZHEN YONGLI
HONGTAI INVESTMENT
DEVELOPMENT CO., LTD.*

It is so ORDERED.

SIGNED at New York, New York on this 24th day of May, 2022.



Vernon S. Broderick

United States District Judge